

REMARKS

The present application was filed on November 26, 2003 with claims 1-20, all of which remain pending. Claims 1, 18 and 20 are the independent claims.

Claims 1-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over allegedly admitted prior art in view of U.S. Patent No. 7,149,216 (hereinafter “Cheriton”) and U.S. Patent Application Publication No. 2004/0078683 (hereinafter “Buia”). To reference the allegedly admitted prior art, the Examiner cites to the publication of the present application, U.S. Patent Application Publication No. 2005/0114655.

As a preliminary matter, Applicants note that, although not expressly indicated in the present Office Action, the Examiner has reopened prosecution to enter a new ground of rejection responsive to the Notice of Appeal dated March 12, 2008. Although Applicants have elected to continue prosecution rather than to reinstate the present appeal, because prosecution was reopened prior to a decision on the merits by the Board of Patent Appeals and Interferences, Applicants expressly reserve the right to apply the fee paid for the previous Notice of Appeal to any later appeal on the same application. See MPEP §§ 1207.04 and 1208.02; see also 35 U.S.C. §134(a) (emphasis added) (“An applicant for a patent, any of whose claims has been twice rejected, may appeal from the decision of the primary examiner to the Board of Patent Appeals and Interferences, having once paid the fee for such appeal.”)

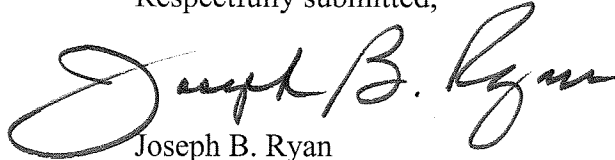
Independent claims 1, 18 and 20 have been amended without prejudice solely to clarify the claimed subject matter. More specifically, these claims have been amended to incorporate limitations similar to those of dependent claims 7 and 8. Dependent claim 8 has been canceled. Dependent claim 7 further limits amended independent claim 1 by referring to “each level of the tree representation that corresponds to a field of a rule of the access control list” rather than “at least a given level of the tree representation that corresponds to a field of a rule of the access control list” as set forth in claim 1.

It is believed that the limitations of claims 1, 18 and 20 as amended are not met by the collective teachings of the allegedly admitted prior art in view of Cheriton and Buia.

Dependent claims 2-7, 9-17 and 19 are believed allowable for at least the reasons identified above with regard to their respective independent claims.

In view of the above, Applicants believe that the claims as amended are in condition for allowance, and respectfully request withdrawal of the §103(a) rejection.

Respectfully submitted,

A handwritten signature in black ink, reading "Joseph B. Ryan". The signature is fluid and cursive, with the first name "Joseph" written in a large, looping script, followed by "B." and "Ryan".

Date: July 8, 2008

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